

REMARKS

In the Official Action of November 4, 2004, the Examiner required an election under 35 U.S.C. § 121 among three allegedly distinct inventions, namely:

Group I, referring to claims 1-7, 13-18, 24-29 and 35-40, drawn to a navigation system for transferring to a terminal route guidance data as a result of route searching as performed by a server;

Group II, referring to claims 8-12 and 19-23, drawn to a telecommunication system which specifically monitors the location of a portable device in terms of its position and at which a predetermined time is determined; and

Group III, referring to claims 30-34 and 41-45, drawn to the dynamic control of execution, processing or sequencing of instruction data within a processor.

The Examiner has contended that the inventions of Groups I, II and III are unrelated since they are not disclosed as capable of use together and since they have different modes of operation, different functions or different effects.

In response to the restriction requirement, applicant hereby elects Group II, claims 8-12 and 19-23, for further prosecution in this application. Accordingly, claims 1-7, 13-18 and 24-45 stand withdrawn from consideration in the present application without prejudice to applicant's right to file one or more divisional applications directed thereto.

If there are any additional charges in connection with this response, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: December 6, 2004

Respectfully submitted,

By

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